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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,377	05/05/2006	Bei Wang	CN030046US1	5700

24737 7590 04/27/2011  
PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER
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BAROT, BHARAT

ART UNIT	PAPER NUMBER
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2455

NOTIFICATION DATE	DELIVERY MODE
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04/27/2011

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/578,377	<b>Applicant(s)</b> WANG ET AL.	
	<b>Examiner</b> Bharat N. Barot	<b>Art Unit</b> 2455	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2011.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(c)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

**RESPONSE TO REQUEST FOR CONTINUED EXAMINATION (RCE)**

1. Claims 1-16 are pending and remain for further examination.

**The new grounds of rejection**

2. Applicants' arguments and amendments with respect to claims 1-16 and request for continued examination (RCE) filed on March 07, 2011 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

**Claim Rejections - 35 USC § 101**

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-5 and 11-16 are rejected under 35 U.S.C. 101 because the claimed invention of the claims 1-5 and 11-16 is directed to non-statutory subject matter. Claim 1 recited "A method comprising: receiving..., sending..., receiving..., and playing..." and claim 11 recited "A method comprising: receiving..., identifying..., and outputting.." which are purely mental steps and did not tied with an apparatus that accomplishes the method steps; therefore, the method is not a patent eligible process under 35 USC § 101 and as being directed to non-statutory subject matter.

Other dependent claims, which are not specifically cited above are also rejected because of the deficiencies of their respective parent claims.

**Claim Rejections - 35 USC § 102(e)**

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1-2, 4-7, 9-12, and 14-16 are rejected under 35 U.S.C. 102 (e) as being anticipated by Mok (U.S. Patent Application Publication No. 2004/0013416). Mok's patent application meets all the limitations for claims 1-2, 4-7, 9-12, and 14-16 recited in the claimed invention.

7. As to claim 1, Mok teaches an optical disc playing method (see abstract and figures 1-2, page 1 par. 0003, and page 3 par. 0035), comprising: receiving a command from an user, which requires playing a part of content of a program contained on an optical disc (figures 1-2, par. 0023 lines 1-7, and par 0036 lines 1-3, user inputs content view request); sending a request which requires related information of the part of content be provided, the request including at least identification information of the optical disc (figures 1-2, par. 0023 lines 7-13, and par. 0036 lines 3-9, and par. 0028, controller reads meta data for receiving access information and meta data includes file information stored on the optical disc); receiving the related information, the related information including navigation information (par. 0029, access information includes navigation information); and playing the part of content with the received related information, wherein the received navigation information is used in coordination with navigation information on the optical disc to play the part of the content with the

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received related information (figures 1-2, par. 0023 lines 14-21, par. 0029, par. 0036 lines 9-15, and par.0042, reproduce data recorded on the optical disc with navigation display screen).

8. As to claim 2, Mok teaches that the part of content of a program contained on the optical disc includes a part of content corresponding to a play-list (par. 0029 lines 13-17).

9. As to claims 4-5, Mok teaches that the information corresponding to the part of content includes the audio information (page 2 par. 0026) and the caption information (page 2 par. 0028, and page 3 par. 0038).

10. As to claims 6-7 and 9-10, they are also rejected for the same reasons set forth to rejecting claims 1-2 and 4-5 above, since claims 6-7 and 9-10 are merely an apparatus for the method of operations defined in the method claims 1-2 and 4-5.

11. As to claim 11, Mok teaches a method for transferring downloaded information during playing (see abstract and figures 1-2, page 1 par. 0003, and page 3 par. 0035), comprising: receiving a downloading request which requires downloading information corresponding to a part of content of a program contained on an optical disc, the request including at least identification information of the optical disc (figures 1-2, par. 0023 lines 1-13, and par. 0036 lines 1-9, and par. 0028, controller reads meta data for

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receiving access information and meta data includes file information stored on the optical disc); identifying the part of the content in the downloading request (figure 2, page 3 pars. 0037-0040); and outputting the information corresponding to the part of content of the downloading request with the part of content, wherein navigation information of the information is used in coordination with navigation information on the optical disc to play the part of the content with the received related information (figures 1-2, par. 0023 lines 14-21, par. 0029, par. 0036 lines 9-15, and par.0042, reproduce data recorded on the optical disc with navigation display screen).

12. As to claim 12, Mok teaches that the part of content corresponds to a playlist (par. 0029 lines 13-17).

13. As to claim 14, Mok teaches that searching the information corresponding to the part of content of the downloading request (page 2 pars. 0027-0029, and page 3 par. 0034).

14. As to claims 15-16, they are also rejected for the same reasons set forth to rejecting claims 4-5 above, since claims 15-16 do not teach or define any new limitations than above claims 4-5.

**Claim Rejections - 35 USC § 103(a)**

15. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

16. Claims 3, 8, and 13 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Mok (U.S. Patent Application Publication No. 2004/0013416) in view of Yun (U.S. Patent No. 7,565,672).

17. As to claim 3, Mok does not teach that the the request includes a language selected by the user.

Yun teaches that the part of content of a program contained on the optical disc includes a part of content corresponding to a play-list (figures 1-2; and column 4 lines 31-60) and the request includes a language selected by the user (figures 3-4; column 2 lines 26-53; and column 4 line 61 to column 5 line 39).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Yun stated above in the method of Mok for playing optical disc because it would have improved control for optical disc player and increased efficiency and utilization of the optical disc player by serializing of the data with number or language.

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18. As to claim 8, it is also rejected for the same reasons set forth to rejecting claim 3 above, since claim 8 is merely an apparatus for the method of operations defined in the method claims 3.

19. As to claim 13, it is also rejected for the same reasons set forth to rejecting claim 3 above, since claim 13 do not teach or define any new limitations than above claims 3.

#### **Response to Arguments**

20. Applicant's arguments have been fully considered. The examiner has attempted to answer (response) to the remarks (arguments) in the body of the Office action.

#### **Contact Information**

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 7:00 AM to 3:30 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Emmanuel Moise**, can be reached at **(571) 272-3865**.

/Bharat N Barot/

Primary Examiner, Art Unit 2455

April 11, 2011